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PATENT
Client-Matter No.: CROL-156
(056290.0103)

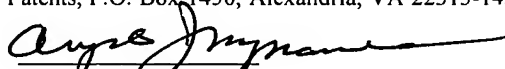
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin R. Stone) **Group Art Unit:** 1653
Serial No.: 10/722,869) **Examiner:** Mayer, Suzanne Marie
Filed: November 26, 2003)
For: SUBSTANTIALLY NON-IMMUNOGENIC)
INJECTABLE COLLAGEN)

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: 3/23/05


Angelo J. Mignanelli

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed herewith for filing in connection with the above-identified patent application are the following:

1. Petition Pursuant to 37 C.F.R. § 1.78 to Accept an Unintentional Delay for Claim of Priority Under 35 U.S.C. §§ 1.19(e) and 120;
2. Supplemental Amendment;
3. Copy of the Utility Patent Application Transmittal (Small Entity) filed on November 26, 2003;
4. A copy of the Official Filing Receipt mailed on March 10, 2004; and
5. Return Postcard.

The PTO did not receive the following
listed item(s): Petition under 37 C.F.R.
1.78 CH

Kevin R. Stone
U.S.S.N. 10/722,869
March 23, 2005
Page 2 of 2

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1133.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Simona A. Levi-Minzi", is written over a horizontal line.

Simona A. Levi-Minzi, Ph.D.
Reg. No. 43,750
Attorney for Applicant

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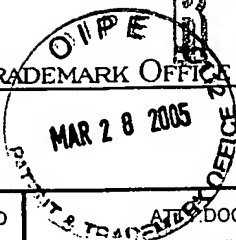
Date: March 23, 2005

MIA 294171-1.056328.0034



UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 15 2004


 UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/722,869	11/26/2003	1653	412	CROL-156 (56290-103)		23	3

Mark G. Lappin
 McDermott, Will & Emery
 28 State Street
 Boston, MA 02109

DOCKETED

PCM

5/10/04 Correct Filing
 Receipt?

CONFIRMATION NO. 8648

FILING RECEIPT



OC000000012069819

Date Mailed: 03/10/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kevin R. Stone, Mill Valley, CA;

Domestic Priority data as claimed by applicant

This apn claims benefit of 60/429,078 11/26/2002

Foreign Applications

If Required, Foreign Filing License Granted: 03/10/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ******Title**

Substantially non-immunogenic injectable collagen

Preliminary Class

COPY

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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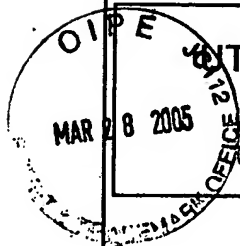
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY



UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

CROL-156 (56290-103)

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

COPY

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Substantially Non-Immunogenic Injectable Collagen

and invented by:

Kevin R. Stone

If a ~~CONTINUATION APPLICATION~~, check appropriate box and supply the requisite information:

☒ ~~Continuation~~ ☐ ~~Divisional~~ ☐ ~~Continuation-in-part (CIP)~~ of prior application No.: 60/429,078

Which is a:

Claims Priority to

filed 11/26/02

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 25 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
CROL-156 (56290-103)

Total Pages in this Submission

Application Elements (Continued)

3. ☐ Drawing(s) (when necessary as prescribed by 35 USC 113)
 - a. ☐ Formal Number of Sheets _____
 - b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
 - a. ☐ Newly executed (original or copy) ☒ Unexecuted
 - b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
 - c. ☐ With Power of Attorney ☐ Without Power of Attorney
 - d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
 - a. ☐ Computer Readable Form (CFR)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
 - ☐ First Class ☒ Express Mail (Specify Label No.): EL 993 167 521 US

**UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
CROL-156 (56290-103)

Total Pages in this Submission

Accompanying Application Parts (Continued)

- 17.
- ☒
- Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: _____

- 18.
- ☐
- Additional Enclosures (
- please identify below*
-):

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

- 19.
- ☐
- Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
CROL-156 (56290-103)

Total Pages in this Submission



Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	23	- 20 =	3	x \$9.00	\$27.00
Indep. Claims	3	- 3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$412.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed:
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-1133 as described below.
- ☒ Charge the amount of \$412.00 as filing fee.
- ☐ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: November 26, 2003

Signature

Mark G. Lappin, Reg. No. 26,618
McDermott, Will & Emery
28 State Street
Boston, MA 02109

CC: